



State of Utah

DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

1594 West North Temple, Suite 1210
PO Box 145801
Salt Lake City, Utah 84114-5801
(801) 538-5340 telephone
(801) 359-3940 fax
(801) 538-7223 TTY
www.nr.utah.gov

Michael O. Leavitt
Governor
Robert L. Morgan
Executive Director
Lowell P. Braxton
Division Director

November 27, 2002

Wendell Owen, Resident Agent
Co-Op Mining Company
P.O. Box 1245
Huntington, Utah 84528

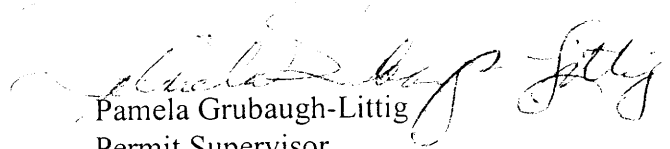
Re: Vegetation Reference Areas, CO-OP Mining, Bear Canyon Mine, C/015/025-AM02D,
Outgoing File

Dear Mr. Wendell:

The above-referenced amendment has been reviewed. There are deficiencies that must be adequately addressed prior to approval. A copy of our Technical Analysis is enclosed for your information. In order for us to continue to process your application, please respond to these deficiencies by August 2003.

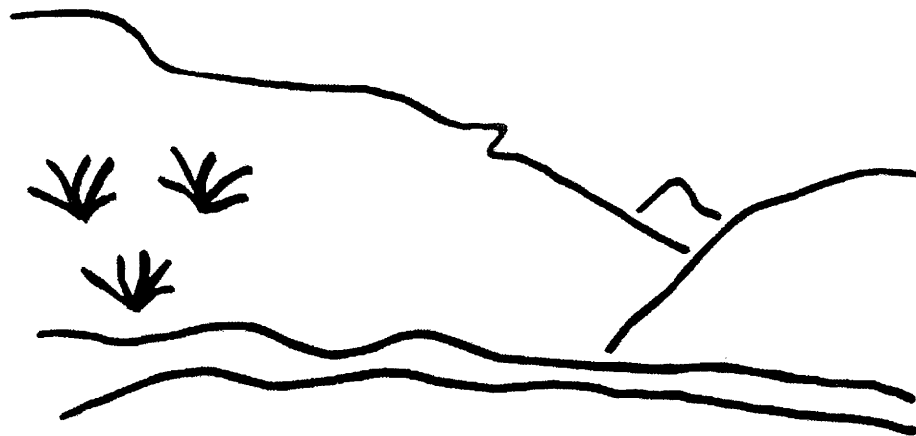
If you have any questions, please call Jerriann Ernstsens at (801) 538-5214 or Susan White at (801) 538-5258.

Sincerely,


Pamela Grubaugh-Littig
Permit Supervisor

an
Enclosure
cc: Price Field Office
O:\015025.BCN\FINAL\DEF02D.DOC

State of Utah



Utah Oil Gas and Mining

Coal Regulatory Program

Bear Canyon Mine
Vegetation Reference Areas
C/015/025-AM02D
Technical Analysis
November 27, 2002

TECHNICAL ANALYSIS

The Division ensures compliance with the Surface Mining Control and Reclamation Act of 1977 (SMCRA). When mines submit a Permit Application Package or an amendment to their Mining and Reclamation Plan, the Division reviews the proposal for conformance to the R645-Coal Mining Rules. This Technical Analysis is such a review. Regardless of these analyses, the permittee must comply with the minimum regulatory requirements as established by SMCRA.

Readers of this document must be aware that the regulatory requirements are included by reference. A complete and current copy of these regulations and a copy of the Technical Analysis and Findings Review Guide can be found at <http://ogm.utah.gov/coal>

This Technical Analysis (TA) is written as part of the permit review process. It documents the Findings that the Division has made to date regarding the application for a permit and is the basis for permitting decisions with regard to the application. The TA is broken down into logical section headings which comprise the necessary components of an application. Each section is analyzed and specific findings are then provided which indicate whether or not the application is in compliance with the requirements.

Often the first technical review of an application finds that the application contains some deficiencies. The deficiencies are discussed in the body of the TA and are identified by a regulatory reference which describes the minimum requirements. In this Technical Analysis we have summarized the deficiencies at the beginning of the document to aid in responding to them. Once all of the deficiencies have been adequately addressed, the TA will be considered final for the permitting action.

It may be that not every topic or regulatory requirement is discussed in this version of the TA. Generally only those sections are analyzed that pertain to a particular permitting action. TA's may have been completed previously and the revised information has not altered the original findings. Those sections that are not discussed in this document are generally considered to be in compliance.

TECHNICAL ANALYSIS

INTRODUCTION

This memo reviews the April 5, 2002 amendment to:

- Remove the original reference area, located in Trail Canyon, from the vegetation plan
- Allow the shower house pad reference area to be used as a reference area for the shop and coal storage areas
- Allow the tank seam access road reference area to be used for the mine access road
- Add the riparian reference area, located in Bear Canyon, to the vegetation plan.

No changes to the Operational, Reclamation Plan, or Reclamation Performance Standards of the MRP were proposed.

INTRODUCTION

ENVIRONMENTAL RESOURCE INFORMATION

VEGETATION RESOURCE INFORMATION

Regulatory Reference: 30 CFR 783.19; R645-301-320.

Analysis:

The riparian amendment has one subtraction and three additions to the vegetation plan. In 1983, the Division approved a reference area in Trail Canyon. In 1994, the shower house pad and tank seam access road reference areas were added to the vegetation plan.

C. W. Mining Company currently requests to officially remove from the plan the reference area in Trail Canyon.

C. W. Mining Company currently requests to add to the plan that the shower house pad reference area also be used as a reference area for the shop and coal storage area as well as add that the tank seam access road reference area also be used for the mine access road. Patrick Collins of Mt. Nebo Scientific provided two reports that show the evaluation of the existing vegetation, in 1994, in the shower house pad and reference area (Appendix 9D) as well as for tank seam access road reference area (Appendix 9A; pgs 15-35). These vegetation analyses, however, do not clearly define the vegetation types for the shop and coal storage areas or the mine access road.

The data sets for shower house pad and tank seam access road reference areas are not considered adequate to use to measure revegetation success for the shop and coal storage areas, or the mine access road, respectively. The Division recommends that company provide vegetation overviews for the two disturbed sites (1-shop and coal storage areas; 2-mine access road).

Because the shop and coal storage areas as well as the mine access road are already disturbed, the sampling sites should be near these two disturbed areas. The sampling sites should contain similar and likely parameters of the two disturbed areas had there been no disturbance. The sampling parameters should include estimates of slope, elevation, solar aspect, species composition and frequency, overstory and understory cover, and woody plant density for existing, undisturbed neighboring areas. Include a discussion on how the neighboring areas sampled were selected and the sampling techniques used. These overviews will be used to determine revegetation success following reclamation of the disturbed sites.

The Division requests that the company provide a vegetation map drawn at a scale of 1" - 200'. It is also requested that future revegetation amendments provide area descriptions in terms of location (such as coal storage) and vegetation type (such as grass/juniper).

C. W. Mining Company currently requests the addition of the Bear Canyon riparian reference area, selected by Patrick Collins, to the vegetation plan. During a field visit on October 29th 2002, Jim Smith, Susan White, Dana Darby, and Jerriann Ernstsens (all from the Division) looked at the proposed riparian reference area. On November 18th, 2002 Jerriann Ernstsens and Patrick Collins discussed the qualities of proposed riparian reference area as well as other alternatives. Although the proposed riparian reference area in Bear Canyon looks favorable, information that meets the Division's Vegetation Information Guidelines for the riparian reference area has not been provided.

Before the Division may approve the proposed riparian area, a vegetation analysis must be completed. The Division requests the vegetation evaluation to include slope, elevation, solar aspect, species composition and frequency, overstory and understory cover, and woody plant density for the proposed riparian reference area. The timing of the evaluation should occur before the end of the height of the growing season (approximately June) for 2003. Also, in order to meet the Map and Aerial Photographs requirements, C. W. Mining Company needs to add the proposed riparian reference area to the vegetation map (Plate 9-1).

Findings:

The information provided is not considered adequate to meet the minimum requirements of the Vegetation Information section of the regulations. Prior to approval, the permittee must provide the following in accordance with;

R645-321.100, The application must include parameters, as described above, of plant communities within the proposed riparian reference area, located in Bear Canyon.

R645-321.100, The application must include qualitative measures of parameters, as described above, of plant communities in neighboring areas to the shop and coal storage areas as well as to the mine access road.

R645-323.100, The application must include a map, as described above, defining the location and boundary of the proposed riparian area.

R645-323.400, The application must include a map, as described above, describing vegetation type and plant community.